

Jesse Rodocker

June 26, 2014

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UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF WYOMING

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TIMOTHY MELLON, a Wyoming	)	
resident,	)	
	)	
Plaintiff,	)	
	)	
vs.	)	No. 13-CV-118 S
	)	
THE INTERNATIONAL GROUP FOR	)	
HISTORIC AIRCRAFT RECOVERY,	)	
a Delaware non-profit	)	
corporation, and RICHARD E.	)	
GILLESPIE,	)	
	)	
Defendants.	)	

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TELEPHONE DEPOSITION UPON ORAL EXAMINATION  
OF  
JESSE RODOCKER

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Seattle Deposition Reporters, LLC  
600 University Street, Suite 320  
Seattle, WA 98101

DATE: June 26, 2014

REPORTED BY: Jill L. Cheeseman, RPR  
Washington CCR 2404

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1 would normally do is charge for our expenses so that we  
2 have no out-of-pocket costs but we wouldn't necessarily  
3 charge any rates for the equipment.

4 Q. Mr. Rodocker, I'm going to ask the court  
5 reporter to hand you what we've labeled as Exhibit-1  
6 Rodocker. And let me know when you have that in front  
7 of you.

8 A. I have it in front of me.

9 Q. You recognize that document?

10 A. Yes.

11 Q. And what is that document?

12 A. It's the bid quote.

13 Q. And is this an accurate representation of  
14 what you actually ended up billing Tighar for your work  
15 on the 2010 expedition?

16 A. I believe so, yes.

17 Q. Okay. Now, looking at this document a little  
18 bit further, I know that down towards the bottom where  
19 it has Operator and Training it accounts for 21 days of  
20 a trained operator -- trained operator's time. Do you  
21 see that?

22 A. Yes.

23 Q. And I see that there was no charge for that.  
24 Is that correct?

25 A. Yes.

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1 example, in selling an ROV you would charge extra for?

2 A. Not all of them. Some of them are part of  
3 the system. Some of them are accessories.

4 Q. What one of those as we look down through  
5 that list are accessories?

6 A. The integrated navigation control console,  
7 the HD camera upgrade, the three-jaw grabber, the  
8 external lighting and the Triton MicronNAV USBL  
9 positioning system.

10 Q. So let me back up. The vehicle that was  
11 actually used is part of the description. I see the  
12 part number is LBV300-6; is that correct?

13 A. That's actually not correct. It was the  
14 LBV300-5.

15 Q. Okay.

16 A. That might have been -- I'm not sure if that  
17 was a typo when this quote was done or if we were  
18 originally talking about doing one of those. I don't  
19 recall.

20 Q. And the LBV300-5, as you look sort of across  
21 the spectrum of your products, is that kind of a lower  
22 end ROV or one of the larger ROVs?

23 A. It's the most sold ROV we have. It's not low  
24 end. It's -- it's the best of our small ROVs, put it  
25 that way.

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1 Q. And why was that?

2 A. Well, like I was saying earlier, we would do  
3 things like this without charging for the personnel.  
4 We would charge for the -- we would just get our  
5 expenses covered.

6 Q. And that's also provided there under the  
7 Operator portion, correct?

8 A. Yeah. Just have it on the quote template.  
9 So what we would do is we charge them a day rate for  
10 the equipment to basically cover some kind of wear and  
11 tear on the equipment so when it got back we could make  
12 it so we could sell it as say a used system or put it  
13 into our demo pool. The operator was free of charge,  
14 no charge; and then the travel expenses were to be paid  
15 for by the client.

16 Q. And the day rate that's charged up there  
17 above then, that is -- do I understand your testimony  
18 that that's related to cover the costs of wear and tear  
19 of the equipment?

20 A. Yes.

21 Q. And there's a number of sort of add-ons or  
22 additional equipment listed below there. Do you see  
23 that?

24 A. Yes.

25 Q. And were those things that typically, for

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1 Q. And who made the decision to utilize that  
2 particular ROV? Was it you or Tighar?

3 A. Me.

4 Q. Okay. And so prior to submitting your bid,  
5 did you talk to Tighar at all about the specifications  
6 or capabilities for that particular ROV?

7 A. They didn't know anything about ROVs. They  
8 just said, "Basically we need to go to a thousand feet.  
9 We have a 300 meter by 300 meter area to search. We  
10 want HD. We want to be able to know where the ROV is."

11 They just gave me some basic parameters.  
12 There was an RFQ, which I can't recall what it actually  
13 said; but there would have been something that  
14 specified the requirements.

15 Q. Okay. And then so as far as the -- those  
16 accessories that you talked about, adding those -- you  
17 mentioned I think that Tighar expressly wanted to use  
18 an HD camera; is that correct?

19 A. Yes.

20 Q. And then as far as the other accessories, are  
21 those things that you decided would be appropriate to  
22 add; or was that something that Tighar specifically  
23 asked for?

24 A. Well, the external lighting is required for  
25 the HD camera. The Triton MicronNAV USBL positioning

6 (Pages 18 to 21)

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1 system was to fulfill the requirement of knowing where  
2 the ROV is, and then the grabber was I'm guessing --  
3 and may have been in the RFQ that they wanted the  
4 ability to maybe collect a sample. So they wanted a  
5 little arm. So that would have been what that would  
6 have been there for.

7 Q. And that ROV with the three-jaw grabber,  
8 would that be capable of doing any sort of recovery if  
9 you were successful in finding wreckage?

10 A. Depends on what it is; but, yep, we can --  
11 that ROV can lift up to 220 pounds, 100 kilos, in water  
12 without damaging it.

13 Q. And the three-jaw grabber would be necessary  
14 for doing that I'm assuming?

15 A. Yes.

16 Q. Do you have as part of your product line  
17 accessories that help to measure scale?

18 A. We do have -- Well, there's two things.  
19 One, we do laser scaling, which is a pair of lasers  
20 that are 50 millimeters apart that when projected on an  
21 object in the video you can then see that's 50  
22 millimeters; or you can use sonar.

23 Q. And did Tighar make any requests for that  
24 accessory or for hardware that would allow them to  
25 determine scale during the search?

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1 it -- Explain a little bit. Is there a tether system  
2 that's utilized with the ROV?

3 A. Yes.

4 Q. And how does that work? What function does a  
5 tether system perform?

6 A. Well, the tether is how the ROV gets power.  
7 It's how the video and the telemetry data is supplied  
8 to the surface. So physics, as long as it exists as we  
9 know it today, precludes the ability to transmit full  
10 frame rate video and high bandwidth data through water  
11 without a cable.

12 Q. And so I note again on the quote that there  
13 is a fiber optic tether listed there of 350 meter long  
14 fiber optic tether; do you see that?

15 A. Yes.

16 Q. And is that what was actually used and  
17 provided as part of the expedition?

18 A. Yes.

19 Q. So getting back to this issue of the high  
20 definition and standard definition video, if they did  
21 utilize standard definition, would that camera have  
22 come from you guys as well; or is that something that  
23 they would have provided?

24 A. No, no, no. All the equipment comes from us.

25 Q. Okay. So if there was a standard definition

Page 23

1 A. I don't recall them asking for that, no.

2 Q. Is that fairly -- is it fairly common to use  
3 either -- well, to use the laser sight to determine  
4 scale during searches?

5 A. Sonar is more common. Laser is a few. And  
6 lasers -- You know what? Laser wouldn't have been an  
7 option. Laser doesn't work with the HD camera. It  
8 only works with our standard definition camera.

9 Q. Was there also a standard definition camera  
10 on this ROV?

11 A. There might have been. I don't recall.

12 Q. If there was, would the laser sight have been  
13 an option?

14 A. It would have been an option if there was,  
15 yes.

16 Q. And did you -- I mean, do you remember having  
17 any discussion at all with Tighar about scale and  
18 methodology for determining scale during the search?

19 A. I don't, no.

20 Q. Did you ever recommend the use of either  
21 sonar or laser to them?

22 A. I don't recall.

23 Q. Now, I note on this Exhibit-1 we've been  
24 looking at the notation behind the LBV300 notes it can  
25 go to 300 meters; it's depth rated to that depth. Does

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1 camera, that would have just been another accessory  
2 that you guys would have provided.

3 A. Yes.

4 Q. You mentioned that tether provides the power  
5 for the vehicle. How is it powered? Is it an  
6 electrical vehicle?

7 A. Yes.

8 Q. So is there a generator somewhere? Is it  
9 tied into the power system of the boat? How does that  
10 work?

11 A. In this case, yes, we were supplied power  
12 from the vessel we were operating from.

13 Q. Okay. After you provided the quote, do you  
14 recall any other conversations with Tighar or its  
15 representatives prior to the 2010 expedition?

16 A. Yes. We had conversations about, for  
17 example, the operating platform. The boat we would be  
18 operating from, we needed to learn more about that,  
19 make sure that was suitable. We discussed the  
20 equipment and what other types of equipment might be  
21 useful.

22 And then two of the crew -- or two of the  
23 participants, whatever you want to call them, they came  
24 to San Diego. I met them in San Diego, and I showed  
25 them the equipment and kind of gave them a little bit

7 (Pages 22 to 25)

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1 A. Right. That's the piece I'm talking about.

2 Q. Okay. That's the same thing as you were just  
3 testifying to?

4 A. Yeah. So we saw it and got up close to it  
5 and got the video of it and we're looking at it -- and  
6 I had not prior to that seen whip coral -- and we're  
7 studying that and it looked kind of interesting because  
8 maybe it could be from the antenna on the airplane and  
9 everybody got real excited and stuff so we reviewed  
10 that.

11 And it was I think maybe even the next day or  
12 later that day we were doing more ROV work and we came  
13 across the whip coral, and that's when I learned about  
14 it. And it's exactly the same. It was identical. So  
15 that's when we realized that it was a natural --  
16 naturally occurring piece of material, not a piece of  
17 wire.

18 And I say -- I'm saying that with 99.9  
19 percent certainty. Obviously I didn't hold it in my  
20 hand to verify it, but I would say that's -- everybody  
21 else -- seemed like everybody else agreed, "Oh, yeah,  
22 that's whip coral."

23 Q. What about the two pieces of rope that were  
24 found?

25 A. Just long bits of rope. And I thought they

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1 Q. And so how much time did you spend trying to  
2 relocate that area with the broken wire?

3 A. I can't recall exactly; but it seems like we  
4 spent, you know, several hours.

5 Q. Now, you were saying -- you mentioned that by  
6 that time you had lost that topside piece of equipment;  
7 is that correct?

8 A. Yes.

9 Q. When you did lose that, how did that impact  
10 your operations?

11 A. Well, we didn't have quite as precise a  
12 position of where the ROV was. I had to use other -- I  
13 had to use my depth and my heading and the contour of  
14 the land to be able to approximate where I was.

15 I mean, we had already -- fortunately, we had  
16 already kind of covered that 300 meter section they  
17 wanted to cover and we had extended our search and then  
18 gone back to look more in that same area.

19 But what I could use was you can see the  
20 shape of the island and you know what depth you are and  
21 you travel along basically the underwater portion of  
22 the island, you would go at a set depth of say call it  
23 100 meters.

24 You travel to the extent that your cable  
25 would allow; and then you would dive the other ROV say

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1 were more closer to the shipwreck that's there, the  
2 Norwich City. And we tried to grab on it and recover,  
3 but it was fully embedded and had been there for a  
4 while. But it was a pretty significant amount of rope.

5 Q. And actually on the two strands of rope, did  
6 you try to retrieve both of them with the arm or just  
7 one of them?

8 A. I'm not sure if we tried -- I know we tried  
9 at least one. I'm not sure if we tried both.

10 Q. Actually, after you found the rope and wire,  
11 the coil together, did you go back and try to return to  
12 that same site?

13 MR. MASTERSON: I need to make an objection  
14 as to form. Thank you.

15 BY MR. STUBSON:

16 Q. You can answer.

17 A. We -- yeah, the whip coral thing we did try  
18 to go back to that. It was -- yeah, so obviously found  
19 that. I believe that was found after the incident with  
20 my tracking system when they sucked it into the  
21 thruster, so we didn't have tracking to get ourselves  
22 back to that exact location.

23 Q. If you had found the whip coral all over, why  
24 did you decide to go back to it?

25 A. They wanted to. The Tighar wanted to.

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1 -- whatever the visibility was, say 5 meters, so go  
2 down to like 105 or 110 meters, and you came back in  
3 the opposite direction so you could do a systematic  
4 approach to covering the area in that method.

5 Q. So you came across that rope the first time  
6 around, you -- did you know what depth it was at?

7 A. We would have known the depth, yes.

8 MR. MASTERSON: I need to object as to form,  
9 but go ahead. Thank you.

10 BY MR. STUBSON:

11 Q. Go ahead, Mr. Rodocker.

12 A. Yes, we would have known the depth.

13 Q. And what other information would you have  
14 known about the location of that?

15 A. Well, we know where the ship is. And it's  
16 got -- we have GPS coordinates for the ship; and we  
17 were using a clump weight on the tether because of the  
18 current, which means you apply weight to the bottom of  
19 the cable that's near to the ROV so the cable is --  
20 you're not pulling all the cable through the water,  
21 because that's where the drag is created, and that  
22 cable is basically going pretty much vertically  
23 straight down to the bottom, so then you would know --  
24 and that cable was, oh, I don't know, maybe it was 25,  
25 30 meters-ish back from the ROV, so you would have a

13 (Pages 46 to 49)

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1 Q. Looking -- Sorry. Let me find it real  
2 quick. On the entry under May 28, you see it says, we  
3 "located what appeared to be a manmade object.  
4 Recovered ROV, fitted grabber and went back to object?"  
5 Do you see that?

6 A. Yes.

7 Q. And at that time did you still have the  
8 topside equipment working?

9 A. Yes.

10 Q. So that's why you were able to go right back  
11 to the object?

12 A. That's correct.

13 Q. And when you were in the area of the rope and  
14 what you later determined to be whip coral, did have  
15 you the arm fitted on the ROV at that time?

16 A. No.

17 Q. Looking at the next page, you see where it  
18 says, "Difficulties Encountered"?

19 A. Yes.

20 Q. And I want to ask you about a few of those.  
21 Well, first of all, is this a complete list of the  
22 difficulties that you did have in operating the ROV?

23 A. They would have been -- Most likely, yes. I  
24 mean, this is obviously a summary. This doesn't go  
25 into the same kind of detail, but that would have been

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1 A. If memory serves me, I think we did try the  
2 second one. It didn't have HD. I think it had a sonar  
3 on it, so we tried that. But it wasn't really of any  
4 benefit because everything was so visual and the  
5 steepness of the terrain, so I didn't use it much.

6 Q. Looking on the second bullet point under  
7 that, it talks about "Loss of long tether capability."  
8 Do you see that?

9 A. That's correct. That's the broken tether we  
10 were talking about earlier.

11 Q. Okay. And it looks like that -- your note  
12 here says it happened on the third day of the ROV  
13 operations; is that correct?

14 A. Yeah, that's what it looks like, yep. It did  
15 happen relatively quickly.

16 Q. So between that third day and when the VvS1  
17 arrived, you would have been limited in depth of your  
18 search; is that correct?

19 A. Yes. Those days we did down to 150 meters,  
20 and those were also the days that we did the AUV  
21 operations as well.

22 Q. And then the fourth bullet point there talks  
23 about the topside transducer. We talked about that,  
24 correct?

25 A. That's right.

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1 -- I mean, I don't put down there for example that the  
2 people that were helping me weren't very good.

3 Q. Fair enough.

4 A. But it's the key ones, the important ones,  
5 yes.

6 Q. Okay. The beginning one, the "Shipping  
7 damage to secondary LBV," do you see that?

8 A. Uh-huh.

9 Q. What was the secondary LBV?

10 A. So I brought a backup. So I brought two of  
11 them, so when you're -- when you're as remote as this  
12 island is, you can't obviously nip down to the Radio  
13 Shack for bits and pieces, so I brought redundancy. So  
14 I had two ROVs; I had multiple cables; I had, you know  
15 -- I had as much as I could bring within reason  
16 obviously.

17 Q. And so by the time you got on site, was there  
18 only one operational LBV?

19 A. Well, all right, so we had some shipping  
20 damage; but I could still use bits and pieces, so all I  
21 needed really was one operational unit that if I needed  
22 to I could steal a part from the other one to keep the  
23 other one working.

24 Q. And did you only use one of the LBVs while  
25 you were on site?

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1 Q. And that was a problem that continued from  
2 the date that was damaged through the end of the  
3 expedition; is that right?

4 A. That is right.

5 Q. Looking on the next page of that report,  
6 there's a map of the ROV search. Do you see that?

7 A. Yes.

8 Q. And is that a map that you created?

9 A. Yes.

10 Q. And the red line, is that the area that we've  
11 been talking about, the 300 by 300 meter area that  
12 Tighar wanted to have searched?

13 A. Yeah. It looks like it, yeah.

14 Q. Okay. And then the green line would be where  
15 you actually did conduct the search?

16 A. That's right.

17 Q. And I see that there's a notch out of that  
18 red box that appears wasn't searched; is that accurate?

19 A. Yep.

20 Q. Do you know why that area wasn't searched?

21 A. I don't remember. It's near the Norwich  
22 City, north of there.

23 No. I can't remember why or what the issue  
24 was there with the search area.

25 Q. Did you after you returned from the

15 (Pages 54 to 57)

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